

ULSTER COUNTY PLANNING BOARD

Minutes – January 4, 2012

The Ulster County Planning Board Meeting
7:30 p.m. – Surrogate Courtroom, 3rd Floor
County Office Building

The Executive Committee met at 6:45

Mr. Watkins, Ms. Pecora, Mr. Budziak, Mr. Wilkin, Ms. Elwell, (excused) & Ms. Hokanson,

Mr. Watkins called the meeting to order and asked Mr. Leibowitz to read the roll call.

1. ROLL CALL - Present: R. Pecora, P. Hakim, J. Konior, K. Lovelett, T. Hokanson, H. Grant, T. Wilkin, M. Baden, F. Greitzer, K. Holmquist, M. Watkins, R. Budziak, J. Constable, D. Doyle, R. Leibowitz, B. Samuelson, B. Slack, M. Davis **Absent:** T. Marion, A. Yuran, E. Hooper, R. Kinnin **Excused:** P. Economos, R. Elwell, M. Weitman, M. Maclary, S. Cahill **Guests:** Victor Markowitz

2. PREVIOUS MINUTES

Ms. Pecora made a motion to approve the December minutes. Seconded by Mr. Konior. Mr. Constable abstained. The Board informed Mr. Constable that if he read and understood the minutes then he could take part in the vote. Mr. Constable stated that he was in favor of the minutes. All in favor and the December 2011 minutes were approved.

3. FINANCIAL REPORT - Reflecting End of 2011 Figures

Mr. Doyle stated that we have encumbered funds for ongoing studies. Next year's budget has been funded. We continue to monitor our host agency status for the MPO.

4. PUBLIC COMMENT

No public comment

5. COMMUNITY REPORT

Ms. Hokanson reported that Ruth Elwell is home and doing very well. Mr. Baden stated the legal challenge against Town of Rochester's 2009 zoning law, which was decided in court in favor of the Town, was featured in the "Law of the Land" blog. The applicants are seeking to appeal to a higher appellate court. Mr. Doyle thanked Mr. Baden for sending him the link and explained to the Board that this case had to do with the Town not zoning certain lands for mining. Mr. Budziak added that there was a similar case in Eddyville where the mining interest lost the appeal as well. Ms. Pecora informed the board that Mr. Doyle asked her to keep him informed on Ken Silver's property on River Road. She stated that he sold most of the land to Scenic Hudson, but is keeping approximately 35 acres to develop along Route 9W. Ms. Pecora also noted that Fred Zimmer will be her alternate and we should be receiving communications from Town of Esopus.

6. COMMUNICATIONS - no member comment

7. ZONING REFERRALS – The Chairman asked the board if anyone would need to recuse themselves from any referrals as we will not have a quorum as we are very close on majority vote.

Mr. Doyle stated we have 13 board members in attendance, which is the amount required to pass a vote. A local board would have to wait 30 days from day of submission if we do not have a majority vote on referrals. The Chairman asked the board to look at an outline of responsibilities as board members.

Mr. Doyle spoke to the board about using the board's expertise more effectively by delegating certain kinds of actions to members of the staff. He asked the Board to think about what they wanted to review, did not want to review or if they preferred to keep the status quo. Mr. Doyle asked how can we implement various plans we currently have (open space plan, housing documents, transportation plan, economic plan) if nobody reads or understands them.

KEY: (f) = handout will be in folder at meeting
(m) = handout included in the mailing

Mr. Doyle informed the board that staff decided the best way was to combine the documents into a Greenway Compact plan that is adopted by the communities and the Legislature. Mr. Doyle added that we need to find a way for the board to help decide what the Greenway Compact should look like.

Mr. Doyle stated the Board's current By-Laws are currently reflective of a Legislative form of government, without a County Executive. He continued that we need to look at the changing role of the board relative to the department. The board is now separate from the department, yet relies on the department for support. From a staffing perspective, the responsibility is solely that of the department head. Changes should be reflected in an update of the By-Laws.

Mr. Doyle stated he thought the board would benefit from becoming more engaged at the local level by being representatives of the County Planning Board, as well as their local boards, at local board meetings and events. He urged members to reach out as a group to municipal leaders, to serve on key committees at the local level, rather than be separated.

Mr. Doyle stated that we need efforts, expertise, eyes and ears and ways to make our board better. We'd like to know "problems" immediately so we can go and meet with local boards to try to solve them. Mr. Hakim stated a lack of communication and understanding or issues of "us and them" is the problem. Mr. Doyle stated we started about 3 years ago having gateway meetings with applicants, municipal officials and others early on in the process. Mr. Doyle added that we would urge board members to participate. Mr. Baden stated a lot of local board's don't know what the criteria would be in order to have these gateway meetings. Mr. Doyle answered that no project is too small or too large. Mr. Doyle noted the department's services are available to any applicant or municipality who would like help. Board members need to get the word out.

8. OLD BUSINESS

a. Charter Revisions – County Attorney Opinion

Mr. Doyle stated we do not have this opinion yet – part of this needs to be what the board wants to delegate to the director in terms of land use reviews.

b. Committee Assignments and Schedules

Mr. Watkins stated assignments and schedules will be discussed after the meeting.

c. Grant Update Awards

• Housing Rehabilitation Grant-\$750,000

Mr. Doyle stated we will be working with RUPCO and should have contracts in hand shortly

• Continuum of Care – Housing Grant->\$1 million

Mr. Doyle informed the Board that our office sponsors the Housing Consortium & Continuum of Care for support of housing with funding from HUD. Funding goes to various agencies.

• Ag Recovery Grant -\$57,000

Mr. Doyle stated this grant is for damage resulting from hurricane Irene and tropical storm Lee. Some farmers had to purchase hay and produce in order to keep farm stands open. This grant will reimburse 50% of the cost from those purchases. Time period ends in November. Thirteen farms are involved. Virginia Craft is in the process of reaching out to inform farmers. The contract has been signed and we have approval to draw down money, which should go out end of January or beginning of February.

Applications

• Ag Recovery Grant – Round 2

Mr. Doyle stated this grant is playing back through Ag & Markets and a notice of funding availability is out.

- Main Street Recovery Fund – Round 1

Mr. Doyle stated this is also related to disaster from Irene/Lee. We have 60 applications in and are currently trying to decide what and how to fund. Mr. Doyle stated there is an estimated \$500,000 in funding available and the most we can fund is \$50,000 per business. He added that we will be funding at a significantly reduced amount compared to need and will have to pick and choose who to fund.

9. NEW BUSINESS

a. Training Seminar Scheduled (f)

- **Waterfront Revitalization – January 12th - Steel House Restaurant, Kingston, NY**

Mr. Doyle made note of the above and added that he is still looking for a sustainability speaker for a tentative February seminar. Mr. Doyle added that the DOS has also reached out to him to schedule a seminar for February. Members of the board requested that the seminar not be scheduled during President's week.

b. New Staff Member – Brian Slack, Sr. Transportation Planner

Mr. Doyle introduced our newest staff member, Brian Slack, and noted some background information. Mr. Slack thanked the board for the warm welcome and spoke about his experience so far.

c. Environmental Notice Bulletin & Grant Opportunities– *No member comment*

10. ADJOURNMENT

The meeting adjourned at 9:00 PM.

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1/4/2012

Ellenville

Referral Number **2012001** Received: 12/16/2011
Name: **115 S. Main Street** Type of Referral: **Special Permit**
Description: Create two accessory apartments on second floor of existing building
Project Location: 115 S. Main Street
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

Ellenville

Referral Number **2012002** Received: 12/16/2011
Name: **Soil Mining** Type of Referral: **Special Permit**
Description: Soil mining and sand removal - readying lots for future development
Project Location: Various
Recommendation: **Required Modifications** Abstentions:
Motion: Hokanson
Second: Konior
Vote: Yes No Recusals:

Hurley

Referral Number **2012003** Received: 12/13/2011
Name: **Residential Addition** Type of Referral: **Variance-Area**
Description: 3' area variance to allow for a 13' separation between the proposed addition and an existing 16' high detached garage
Project Location: 375 Old Route 209 Hurley, NY
Recommendation: **No County Impact** Abstentions:
Motion: Baden
Second: Hokanson
Vote: Yes No Recusals:

Kingston City

Referral Number **2012006** Received: 12/28/2011
Name: **104 Wurts Street** Type of Referral: **Site Plan**
Description: Pre-fab shed for collection of donations (8x16')
Project Location: 104 Wurts Street
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

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Kingston City

Referral Number **2012013** Received: 12/28/2011
Name: **184 Hurley Avenue** Type of Referral: **Site Plan**
Description: Construct two, 2-story modular apartment buildings & associated parking on a lot with an existing apartment building
Project Location: 184 Hurley Avenue
Recommendation: **Advisory Comments** Abstentions:
Motion: Hakim
Second: Baden
Vote: Yes No Recusals:

Lloyd

Referral Number **2012004** Received: 12/20/2011
Name: **Local Law M of 2011** Type of Referral: **Amend Zoning Map**
Description: Amended per public hearing on Dec 14, 2011
Project Location:
Recommendation: **Required Modifications** Abstentions:
Motion: Hokanson
Second: Konior
Vote: Yes No Recusals:

Marlborough

Referral Number **2012007** Received: 12/2/2011
Name: **Gallo Realty Subdivision** Type of Referral: **Subdivision**
Description: 6-lot subdivision - 2 -lots greater than 20 acres, 4 lots 2+ acres. Located in agricultural district
Project Location: Idlewild Road Marlboro
Recommendation: **Required Modifications** Abstentions:
Motion: Hokanson
Second: Konior
Vote: Yes No Recusals:

Saugerties Village

Referral Number **2012008** Received: 12/19/2011
Name: **Paraco Gas** Type of Referral: **Special Permit & Site Plan Review**
Description: Construct 5,832 SF office/garage and place two 30,000 gallon propane tanks
Project Location: 251 Ulster Avenue Saugerties
Recommendation: **Required Modifications** Abstentions:
Motion: Hokanson
Second: Konior
Vote: Yes No Recusals:

Shandaken

Referral Number **2012012** Received: 12/8/2011
Name: **Road Side Stand Amendments** Type of Referral: **Amend Zoning Statute**
Description: Revise zoning standards with respect to road side stands
Project Location:
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

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Ulster

Referral Number **2012009** Received: 12/20/2011
Name: **Redevelopment Overlay District** Type of Referral: **Amend Zoning Statute and Map**
Description: Overlay District for Tech City
Project Location: 300 Enterprise Drive, Kingston NY
Recommendation: **Approve** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

Wawarsing

Referral Number **2012005** Received: 12/28/2011
Name: **Wal-Mart Lot line adjustment** Type of Referral: **Subdivision**
Description: Boundary line adjustments of five tax parcels - transfer of 2.07 acres
Project Location: Route 209 and Clinton Street
Recommendation: **Reviewed No Decision* - Local Determination** Abstentions:
Motion: Baden
Second: Konior
Vote: Yes No Recusals: Constable

Wawarsing

Referral Number **2012010** Received: 12/27/2011
Name: **Rezone 83.6-4, Lots 3 & 4** Type of Referral: **Amend Zoning Map**
Description: Re zone lots 3 and 4 of Section 83.6, Block 4. Correct error in originally adopted zoning map. Move to RU.
Project Location:
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

Wawarsing

Referral Number **2012011** Received:
Name: **Local Law #2 of 2010** Type of Referral: **Amend Zoning Map**
Description: Rezone Section 97.2 to NS (Neighborhood Settlement) zoning district from RS-1 with some exceptions.
Project Location:
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals: